

and Food Department of the State of Texas has insufficient funds for the maintenance and support for the fiscal year ending September 1st, 1919, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended and said rule is hereby suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

TWENTY-FOURTH DAY.

Senate Chamber,
Austin, Texas, Feb. 14, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Clark.	McNealus.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Page.

Absent—Excused.

Bell.	Westbrook.
Carlock.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Excused.

Senator Carlock was excused for today and tomorrow on account of important business, on motion of Senator Bailey.

Senators Westbrook and Bell for today and tomorrow, and Senator Bell for yesterday, on account of im-

portant business, on motion of Senator Alderdice.

Bills and Resolutions.

By Senator Buchanan of Bell:

S. B. No. 282, A bill to be entitled "An Act to provide for the care, maintenance and instruction of blind babies and children too small or too backward to enter the State School for the Blind."

Read first time, and referred to Committee on Educational Affairs.

By Senators Caldwell, Dudley, Alderdice, Dean and Williford:

S. B. No. 283, A bill to be entitled "An Act to authorize the Board of Regents of the University of Texas to issue and sell bonds in the name of the University of Texas, and to obligate the Board of Regents, for and on behalf of the university, to pay such bonds; to provide for the payment of interest on such bonds and to create a sinking fund to redeem them at maturity out of the annual rentals and interest and other income of the lands and bonds constituting the permanent fund of the University of Texas, declared to be a trust fund for those purposes; to pledge such rentals and interest and other income to the payment of interest on said bonds and to the creation of said sinking fund; to provide that said bonds shall not be subject to taxation in the hands of the holders thereof; to authorize the deposit of such bonds as securities by insurance and other companies; to provide for the investment of the sinking fund, when not used for redeeming bonds, in the manner required for the investment of the public free school funds of the State of Texas; to provide for the distribution to and for the use by the University of Texas of the sale of such bonds according to certain percentages, with the authority on the part of the Board of Directors of the Agricultural and Mechanical College of Texas to apportion to the Prairie View State Normal and Industrial College such part of the percentage accruing to the Agricultural and Mechanical College as in its judgment may be necessary; to provide that the proceeds of the sale of said bonds shall be used within the separate discretion of the Board of Regents of

the University of Texas and of the Board of Directors of the Agricultural and Mechanical College of Texas for the constructions or purchase of permanent buildings and for the acquisition of land for the enlargement of the present campuses of the University of Texas and of the Agricultural and Mechanical College of Texas; reserving the right and power to sell the university land or any part thereof under existing laws or laws hereafter enacted, and to hold the interest derived from the investment of the proceeds of the sale of such lands, if said lands or any part thereof be sold during the life of the issue of any bonds hereunder pledged to the payment of the interest on the bonds to be issued hereunder and to the creation of a sinking fund for the redemption of such bonds; to provide that the form of the bonds shall be prescribed by the Board of Regents of the University of Texas, subject to the approval of the Attorney General of the State, and that such bonds shall be registered with the Comptroller of Public Accounts of the State of Texas, and declaring an emergency."

Read first time, and referred to Committee on Educational Affairs.

By Senators Caldwell and Page:

S. B. No. 284, A bill to be entitled "An Act regulating bills of lading; prescribing the terms thereof, defining non-negotiable or straight bills of lading; defining negotiable or order bills of lading; providing that duplicate negotiable bills must be so marked; providing that the insertion in a negotiable bill of lading of the name of the person to be notified shall not limit its negotiability or constitute notice; providing that acceptance of a bill of lading shall constitute assent to its terms; prescribing the obligations and rights of carriers upon their bills of lading; prescribing offenses under this Act, and penalties therefor; making certain rules for interpretation of this Act, making certain definitions, repealing all laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Committee on Insurance and Banking.

By Senators Caldwell and Page:

S. B. No. 285, A bill to be entitled "An Act providing for transfer of

title to a certificate and to the shares of stock in a corporation represented thereby only by delivery of the certificate endorsed, or by delivery of the certificate and a separate document containing a written assignment thereof or a power of attorney to sell, assign or transfer the same or the shares represented thereby; that this provision shall be applicable through articles of incorporation or by-laws of the corporation issuing certificate, or the certificate itself, represent that shares may be transferred only on the books of the corporation or registered by a registrar or transferred by a transfer agent; providing that this Act shall not be construed as enlarging powers of infant or other person lacking full legal capacity, or of trustee, or other fiduciary to make valid indorsement, assignment or power of attorney; providing that this Act shall not be construed as forbidding a corporation to recognize rights of persons registered on its books as owners of shares to receive dividends, or vote as such owner, or to hold such person registered upon its books liable for calls and assessments; providing that title of a transferee of certificate under power of attorney or assignment not written upon certificate, and title of any person claiming under such transferee, shall cease if prior to surrender of certificate another person shall obtain delivery of certificate with indorsement appearing upon it of person appearing by the certificate to be the owner; or shall purchase and obtain delivery of such certificate and a written assignment of such person though contained in a separate document; providing further for the transfer of title; declaring that indorsement by such person appearing in certificate to be owner of the shares represented shall be effectual except for provisions named and providing for procedure under such provisions, pending litigation; providing, after transfer of certificate be rescinded or set aside, for validation, of subsequent transfer by transferee in good faith for value; providing that delivery of such certificate without indorsement, with intent to transfer such certificate and shares represented thereby, unless agreed to the contrary, shall impose the obligation to complete the transfer by making the necessary indorsement, and fixing time the

transfer shall effect; prescribing that law governing performance of contracts shall determine attempted transfer of title to certificate in absence of delivery of certificate; prescribing consequences implied by transfer of certificate for value, including transfer of a claim secured by a certificate; providing that a mortgagee or pledge or other person holding a certificate shall not by demanding or receiving payment of the debt warrant genuineness or value of shares represented thereby; providing conditions under which attachment or levy upon shares of stock for which a certificate is outstanding; and for issuance of new certificate; how attachment may be secured; providing corporation may make no restriction upon transfer of its shares, unless stated upon certificate the right of such corporation to such lien; providing that alteration of such certificate shall not deprive the owner of title to certificate and shares originally represented thereby; providing procedure when certificate has been lost or destroyed and for protection of corporation or any person injured from injury by reason of old certificate remaining outstanding, and for payment of the corporation's cost and counsel fees; and providing such corporation shall not be relieved from liability to damages to person to whom original certificate has been or shall be transferred for value without notice of proceedings of issuance of new certificate; providing for cases not specifically covered by this Act; providing the purpose of this law and its interpretation shall be construed to make uniform of those States enacting it; defining endorsement of a certificate; defining person appearing by certificate to be owner thereof; defining other terms used in this Act; providing that this Act shall apply only to certificates issued after this Act shall take effect; repealing all Acts or parts of Acts inconsistent with this Act; establishing and fixing date upon which this Act shall take effect; providing that this Act may be cited as the Uniform Stock Transfer Act, and declaring an emergency."

Read first time, and referred to Committee on Insurance and Banking.

By Senator Dorrough:

S. B. No. 286, A bill to be entitled "An Act to amend Sections 7c, 8 and 10 of Part I of Chapter 103, of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature, entitled 'An Act to amend Chapter 179 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature, entitled 'An Act relating to employers' liability, and providing for the compensation of certain employes, and their representatives and beneficiaries, and for personal injuries sustained in the course of employment and for death resulting from such injuries, and to provide and determine in what cases compensation shall be paid, and to make the payment thereof more certain and prompt by the creation of an insurance association to insure and guarantee such payments and of an Industrial Accident Board for the investigation of claims and for the adjudication for consenting parties, fixing the membership and powers of said Board and its compensation and duties, and the method of its appointment, and the term of office of its members and fixing also the powers, duties and liabilities of said Insurance Association and the extent and control over same to be exercised by the Commissioner of Banking and Insurance, and providing also for the insurance of payments of compensation to employes by certain other insurance companies and organization, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senator Dorrough:

S. B. No. 287, A bill to be entitled "An Act for the formation of corporations and to contract for and make blue prints, mimeographs and do plat work and declaring an emergency."

Read first time, and referred to Committee on Commerce and Manufacturing.

By Senator Faust:

S. B. No. 288, A bill to be entitled "An Act to amend Article 1855, Title 17, Chapter 3, of the Penal Code of the State of Texas, A. D. 1911, and adding thereto Article

1255a, and 1855b; and to repeal Chapter 102, pages 173 and 174 of the Acts of 1899, passed by the Regular Session of the Twenty-sixth Legislature; and to repeal all other laws and parts of laws in conflict with this act, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Hertzberg:

S. B. No. 289, A bill to be entitled "An Act to protect those engaged in the erection and construction of buildings three or more stories in height, from falling through joists, and from falling planks, bricks, rivets or any other substance whereby life and limb are endangered, prescribing the method of protection and placing the responsibility for carrying out the provisions of this act; prescribing a penalty, and repealing all laws in conflict herewith; and declaring an emergency."

Read first time and referred to Committee on Commerce and Manufacturing.

By Senator Hopkins:

S. B. No. 290, A bill to be entitled "An Act to amend Article 1206, of the Revised Civil Statutes of 1911, so as to provide that the dissolution of a corporation shall not operate to abate any pending suit and so as to provide that suit may be maintained against the president, directors, general manager, trustee, or assignee of such corporation and providing that assets of said corporation shall be subject to the payment of judgments, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Smith:

S. B. No. 291, A bill to be entitled "An Act to authorize Fraternal Benefit Societies, to establish and maintain classes of membership and repeal all acts and parts of acts in conflict, and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senator Smith:

S. B. No. 292, A bill to be entitled "An Act to amend Articles 7382,

Title 126, Chapter 2, of the Revised Civil Statutes of Texas, 1911, providing for a tax upon the gross receipts of each and every individual, company corporation or association owning, operating, managing, or controlling any telephone line or lines or any telephone within this State and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Strickland:

S. B. No. 293, A bill to be entitled "An Act to permit Texas South-eastern Railroad Company to take up and remove that portion of its railroad lying between Vair and Neff, and to sell and dispose of that portion of its right-of-way included between said two stations and to abandon same and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Caldwell:

S. J. R. No. 21. A resolution proposing to amend Sections 10, 11, 12, 13, 14, and 15 of the Article VII of the Constitution of the State of Texas, which article relates to education, fixing the constitutional status of the University of Texas, the Agricultural and Mechanical College of Texas, and other educational Institutions, and determining the interest respectively of the University of Texas, the Agricultural and Mechanical College of Texas, and the Prairie View State Normal and Industrial College in the University Permanent Fund; and providing for the support, direction and development of the State Educational Institutions, fixing the time for the election for the adoption or rejection of said proposed constitutional amendment; making certain provisions for said election and the ballots thereof, and the method thereof; directing the issuance of proclamation therefor, prescribing certain duties of the Governor of Texas, and making an appropriation to defray the expenses of said election.

Read first time and referred to Committee on Constitutional Amendments.

Morning call concluded.

Senate Bill No. 170.

The Chair laid before the Senate on second reading:

S. B. No. 170, A bill to be entitled "An Act to amend Sections 1, 2, and 8, Chapter 118, Special Laws enacted at the Regular Session of the Thirty-fifth Legislature known as a Special Road Law for Cherokee County, repealing all laws in conflict and declaring an emergency."

On motion of Senator Gibson the bill was laid on the table subject to call.

Senate Bill No. 151.

The Chair laid before the Senate on second reading:

S. B. No. 151, A bill to be entitled "An Act to amend Articles 2727 of the Revised Civil Statutes of Texas, Chapter 10, Page 577, relating to the members of the State Board of Education, by adding thereto, as a member of said board, the Attorney General of Texas, and declaring an emergency."

On motion of Senator Gibson the bill was laid on the table subject to call.

Senate Concurrent Resolution No. 15.

By unanimous consent and on request of Senator McNealus the Chair laid before the Senate on second reading:

S. C. R. No. 15, Providing for sine die adjournment of the Thirty-sixth Legislature on March 14, 1919.

The resolution was read and laid on the table subject to call.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 13, 1919.

Lieutenant Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 177, A bill to be entitled "An Act to amend Chapter 85 of the Acts of the Regular Session of the Thirty-fifth Legislature, entitled 'An Act to amend Article 3837 of the Revised Civil Statutes of Texas, 1911,

so as to provide that the filing fees of corporations payable to the Secretary of State under the provisions of Chapter 85 of the Acts of the Regular Session of the Thirty-fifth Legislature, entitled 'An Act to amend Article 3837, Chapter 1, Title 58, of the Revised Civil Statutes of the State of Texas, 1911,' shall be based upon the authorized capital stock of domestic corporations and upon the amount of capital stock actually subscribed by foreign corporations, and that such filing fees shall not exceed the sum of twenty-five hundred dollars, and declaring an emergency."

H. B. No. 246, A bill to be entitled "An Act to amend Section 9, Chapter 20, of the Local and Special Laws passed by the Fourth Called Session of the Thirty-fifth Legislature, being 'An Act to amend Section 9 of Chapter 17, Special Laws, passed at the First Called Session of the Thirty-third Legislature, entitled 'San Patricio County Road System—Creating,' authorized said county or any political subdivision or defined district thereof to issue bonds not exceeding forty years from date of issuance, with such option of redemption as may be fixed by the commissioners' court, or to issue such bonds to mature serially in approximately equal portions every year for not exceeding forty years, and declaring an emergency,' by changing the rate of interest provided in Section 9 thereof from not exceeding 5 per cent to not exceeding 6 per cent, and declaring an emergency."

H. B. No. 351, A bill to be entitled "An Act creating the Goose Creek Independent School District in the county of Harris, State of Texas, defining its boundaries and divesting the bodies politic now controlling the same of the title of all property now held and used for public school purposes within the territory within this Act described, and investing the same in the Goose Creek Independent School District, providing for the election of a board of trustees to manage and control the public free schools within said district, and investing the said district with the rights, powers, privilege and duties of a town or village incorporated for free school purposes only under the general laws, and declaring an emergency."

H. B. No. 93, A bill to be entitled "An Act to prevent the selling of fish taken from the public fresh waters of Wood County, State of Texas, and providing a penalty for the violation thereof; providing that the District Judge of the Judicial District in which Wood County is located shall give special charge upon this law to the grand juries of Wood County; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The House grants the request of the Senate for a conference committee on S. B. No. 106, and the Speaker has appointed the following on the part of the House: Messrs. John Davis, Owen, Crumpton, Gaddy and Wright.

Respectfully submitted,
T. B. REESE,
Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair, Lieutenant Governor Johnson, had referred, after their captions had been read, the following House bills:

H. B. No. 177, referred to the Committee on Insurance and Banking.

H. B. No. 246, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 351, referred to the Committee on Educational Affairs.

H. B. No. 93, referred to the Committee on State Institutions and Departments.

Senate Bill No. 144.

The Chair laid before the Senate on second reading:

S. B. No. 144, A bill to be entitled "An Act providing that writing a will and signing the name of any person thereto without the consent of such person shall be unlawful, declaring the same to be a forgery, providing penalties therefor, and declaring an emergency."

Senator Suiter offered the following amendment, which was read and adopted:

(1) Amend S. B. No. 144, page 1, lines 13 and 14, by striking out the

words "signing the name of such other person thereto."

The bill was read second time, and passed to engrossment.

On motion of Senator Suiter the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 144 put on its third reading and final passage by the following vote:

Yeas—20.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Clark.	McNealus.
Cousins.	Parr.
Dean.	Smith.
Dudley.	Suiter.
Faust.	Woods.

Absent.

Dayton.	Strickland.
Derough.	Williford.
Hertzberg.	Witt.
Page.	

Absent—Excused.

Bell.	Westbrook.
Carlock.	

The bill was laid before the Senate, read third time and, on motion of Senator Suiter, was passed finally.

Senate Concurrent Resolution No. 10.

The Chair laid before the Senate on second reading:

S. C. R. No. 10, requiring Superintendent of Public Instruction to include in instructions to schools that the flag of each school house shall be kept indoors except in good weather and on special occasions.

The resolution was read, and on motion of Senator Smith the same was adopted.

Simple Resolution No. 66.

(Return of H. B. No. 277.)

Resolved, That the House be requested to return to the Senate for further consideration House Bill No. 277.

JOHNSTON.

The resolution was read and adopted.

Message From the Governor.

Governor's Office,
Austin, Texas, Feb. 14, 1919.
To the Thirty-sixth Legislature of Texas.

It is indicated that the hopes and aspirations of the people of Texas for an enlarged and amplified educational system will be fully met by your enactments. It is gratifying beyond measure to witness the enthusiastic interest of the people's representatives in that cause which concerns more than any other the future of our State. The civic glory of Texas was assured when the pioneer law makers and the early patriots and the early settlers founded the best and highest grade educational system the State's resources would permit. And now, when the resources and the natural wealth of our State are shown to exist in an abundance never dreamed of before, it is fitting to make the larger provision for a comprehensive system of education beginning at the bottom and going all the way to the top. When Democracy's world-wide victory calls for even a more general diffusion of knowledge and a wider dissemination of learning, as a means of making that Democracy more valuable to the human race, it is proper to put the schools of Texas in the forefront.

When that liberty which is broader in its aspect and more far reaching in its opportunities has but one enemy unconquered, that of Bolshevism, still invoking the doctrine of force instead of law, the surest weapon of defense is education. America for Americanism and Texas for Texans is the doctrine above all others to be woven now in the fabric of our State's public policy.

To refine the product of our native citizenship and to fuse the raw materials of all our citizenship into that Americanism which is pure and undefiled, the melting process must begin in the school room.

The adoption of the amendment to the Constitution on November 7, 1918, authorizing the Legislature by appropriation from the general funds of the State to meet such deficiency

as may exist for the purpose of the support of public schools of the State for a term of not less than six months, makes it possible to bring the common schools of Texas up to the standard of the highest in the Union. The appropriation of a million dollars to maintain the school apportionment of \$7.50 per child the same as for the preceeding year made necessary because of a decrease in the available school fund; the appropriation of a million dollars for the aid and support of rural schools of less than 500 enrollment; the appropriation of a million dollars so that every school district of reasonable size and area where the limit tax of 50 cents on the \$100 is imposed, may find it possible to increase the length of its school term by State aid when its own funds are exhausted, will constitute a record of legislation in behalf of the education of all the children of all the people to which every citizen of this State for all time to come may point with pride and satisfaction.

There is additional cause for satisfaction in the fact that your body is now finding the way, with every indication of success, for raising the revenues to meet these increased appropriations without imposing a higher general tax upon the people, but by imposing a fair, just and equitable tax upon newly discovered wealth in Texas and upon properties heretofore escaping a just proportion of the tax burden.

To make provision for a more complete and a better rounded system of education, I recommend by this means that which in my judgment will accomplish it without additional cost to the people. Legislation at this time by your honorable body, and the submission of a constitutional amendment to the people will provide a means for permanent development of the University of Texas, the Agricultural and Mechanical College, the College of Industrial Arts and the Normal schools of Texas. It will constitute the realization of a plan the people gave endorsement to in my candidacy for Governor, in the recent nomination and elections for other State officers, of members of your body, and in the

platform of the Democratic Party adopted at the State Convention.

I therefore recommend to your body the enactment of a bill bearing the following title:

"An Act to authorize the Board of Regents of the University of Texas to issue and sell bonds in the name of the University of Texas, and to obligate the Board of Regents for and in behalf of the University of Texas to pay such bonds; to provide for the payment of interest on such bonds and create a sinking fund to redeem them at maturity out of the annual rentals and interest and other income of the lands and bonds constituting the permanent fund of the University of Texas, declared to be a trust fund for those purposes; to pledge such rentals and interest and other income to the payment of interest on said bonds and to the creation of said sinking fund; to provide that said bonds shall not be subject to taxation in the hands of the holders thereof; to authorize the deposit of such bonds as securities by insurance and other companies; to provide for the investment of the sinking fund, when not used for redeeming bonds, in the manner required for the investment of the public free school funds of the State of Texas; to provide for the distribution to and for the use by the University of Texas and the Agricultural and Mechanical College of Texas of the proceeds of the sale of such bonds according to certain percentages, with the authority on the part of the Board of Directors of the Agricultural and Mechanical College of Texas to apportion to the Prairie View State Normal and Industrial College such part of the percentage accruing to the Agricultural and Mechanical College as in its judgment may be necessary; to provide that the proceeds of the sale of said bonds shall be used within the separate discretion of the Board of Regents of the University of Texas and of the Board of Directors of the Agricultural and Mechanical College of Texas for the construction or purchase of permanent buildings and for the acquisition of land for the enlargement of the present campus of the University of Texas and of the or any part thereof, under existing Agricultural and Mechanical College of Texas; reserving the right and power to sell the University lands,

laws or laws hereafter enacted, and to hold the interest derived from the investment of the proceeds of the sale of such lands, if said lands or any part thereof be sold during the life of the issue of any bonds hereunder, pledged to the payment of the interest on the bonds to be issued hereunder and to the creation of a sinking fund for redemption of such bonds, to provide that the form of the bonds shall be prescribed by the Board of Regents of the University of Texas, subject to the approval of the Attorney General of the State, and that such bonds shall be registered with the Comptroller of Public Accounts of the State of Texas; and declaring an emergency."

This act will give to the University of Texas and the Agricultural and Mechanical College of Texas the power to realize from the income of their endowment a fund sufficient to acquire necessary ground and erect necessary buildings to establish such as institutions of the first class. It will make it possible to abandon and remove the shacks on the campus of the University of Texas which are now in use and erect in their place buildings that are creditable to the State and in keeping with the needs of the institution.

The terms of such an act will wisely provide for a division of the proceeds of a mortgage against the landed endowment so as to immediately put the subject of apportionment of these funds beyond the realm of controversy.

I recommend a bond issue against the landed endowment, when authorized by law, as a means of more readily realizing a fund for these institutions for the buildings and permanent development that would be possible by placing the land upon the market, and the issuance of bonds therefor by the State, which only could be accomplished by amending the Constitution and providing special authority. The right to sell these lands is by the terms of the act suggested, reserved to the State, and at the most advantageous time they may be placed upon the market, when the institutions will realize full benefits therefrom. The right to mortgage the lands will in the meantime serve the purpose of bringing relief to these institutions, but will in no way detract from the

ultimate realization of their complete endowment.

In keeping with the spirit of the law recommended, to fix the status of all our institutions of higher learning and to provide in the organic law of the State for their perpetuation and development, I further recommend the adoption by you of amendments to Sections 10, 11, 12, 13, 14 and 15, of Article 7, of the Constitution of Texas, to be submitted at such time in the current year as you may fix, and read as follows:

Section 10. In pursuance of constitutional authority and direction the State having established the University of Texas at Austin in Travis County; the Agricultural and Mechanical College of Texas at College Station, in Brazos County; and the Prairie View State Normal and Industrial College for the instruction of colored youths of the State, at Prairie View, in Waller County; and the Legislature having established the State College of Industrial Arts at Denton, in Denton County, the Legislature shall not have authority to remove either institution from its present location. The Texas State Medical College, located at Galveston in Galveston County, and the School of Mines, located at El Paso in El Paso County, are constituted branches of the University of Texas, and shall not be removed from the present location. And the said University of Texas, the said Agricultural and Mechanical College of Texas, the said College of Industrial Arts for white girls, are hereby declared separate State institutions and independent in organization.

Section 11. To better enable the University of Texas and its constitutional branches, the Agricultural and Mechanical College of Texas and the Prairie View State Normal and Industrial College, to fulfill the purposes for which created, all lands and other property heretofore set apart and appropriated for the establishment, endowment and maintenance of the University of Texas and its constitutional branches, together with the proceeds of the sale of such lands heretofore made, or hereafter to be made, for the support and benefit of either institution, shall constitute a permanent fund for the University of Texas, the Agricultural and Mechanical College of

Texas and for the Prairie View State Normal and Industrial College. Provided, that when the permanent university endowment shall, by constitutional and statutory authority, be apportioned to the institutions named it shall be divided between the University of Texas, the Agricultural and Mechanical College of Texas and the Prairie View State Normal and Industrial College in the following manner: To the University of Texas, sixty-six and two-thirds (66 2-3) per cent, and to the Agricultural and Mechanical College of Texas, thirty-three and one-third (33 1-3) per cent; and the governing board of the Agricultural and Mechanical College of Texas shall apportion to the Prairie View State Normal and Industrial College for colored youths such part of, or interest in, the said thirty-three and one-third (33 1-3) per cent as may be determined equitable by said governing board. The principal of all funds accruing to each institution from the division of the university endowment under the provisions of this section shall, whenever the said endowment is divided, constitute the permanent fund of each, and shall be invested as the permanent public free school fund is now or may hereafter be authorized by law to be invested; and the governing boards of the University of Texas and of the Agricultural and Mechanical College of Texas shall be authorized, with the approval of the Governor, and in the manner to be provided by law, to issue bonds for permanent improvements, such bond issues to be based upon the permanent funds for the institution issuing them; and the governing board of each institution shall make provision from the income derivable from its permanent fund for the payment of all bonds issued under its authority, as may be provided by law.

Section 12. The lands set apart to the University fund shall be sold under such regulations, at such times and on such terms as may be provided by law; and the Legislature shall provide for the prompt collection, at maturity, of all debts due on account of university lands heretofore sold or that may hereafter be sold, and shall in neither event have the power to grant relief to the purchasers. And until such time as the university endowment fund shall be

divided, in accordance with constitutional and statutory authority, the proceeds from the sale of lands, as realized and received into the treasury of the State, together with such sum belonging to the funds as may now be in the treasury, shall be invested as the permanent public free school fund is now or may hereafter be authorized by law to be invested; and the interest accruing thereon, and any income from the use of the said university lands, shall be subject to appropriation by the Legislature, and may be available for the redemption of bonds based on the University endowment and to be redeemed from the said interest and income from the use of land, as may be provided by law, to aid in the construction, equipment and maintenance of the University of Texas and the Agricultural and Mechanical College of Texas; and the Legislature is hereby authorized to appropriate out of the general revenues of the State such moneys as may be necessary to cover deficiencies in the interest and sinking fund accounts of the bond issues herein provided for. Provided, that the one-tenth of the alternate sections of the lands granted to railroads, reserved by the State, which were set apart and appropriated to the establishment of "The University of Texas" by an Act of the Legislature of February 11, 1858, entitled "An Act to establish 'The University of Texas,'" shall not be included in or constitute a part of the permanent University fund.

Section 13. The Legislature shall provide by appropriation, or, in its discretion, by tax levy, or by both appropriation and tax levy, for the equipment, maintenance and development of the University of Texas, and the branches of the said institution named in this Article, and such other branches as may hereafter be established by law; for the Agricultural and Mechanical College of Texas, and its branches as now or hereafter may be established by law; for the College of Industrial Arts for the education of white girls; for the State Normal Schools as now established, and such Normals as may be established in accordance with the law; and for the Prairie View State Normal and Industrial College for colored youths. And the Legislature shall, in the event a tax levy is authorized, determine the manner for securing the equitable

distribution of such tax levy among the said institutions.

Section 14. The Legislature shall give encouragement and direction to and make provision for the educational activities of the respective State institutions provided for in this Article, and as may be adequate for the promotion of literature and the arts and sciences, pure and applied, and for instruction in the professions, of a University of the first class; and for instruction in all those branches of learning which relate to agriculture, animal husbandry, the natural sciences, pure and applied, connected therewith, the mechanic arts and military science and tactics, requisite to the development of an Agricultural and Mechanical College of the first class; and for the education of white girls in the literary branches, the arts and sciences, and in social and domestic economy of the age, as may be necessary to establish and maintain a College of Industrial Arts of the first class for white girls.

Section 15. The Prairie View State Normal and Industrial College for the instruction of colored youths of the State, having been located at Prairie View, in Waller County, as a branch of the University of Texas, is hereby declared a branch of the Agricultural and Mechanical College of Texas. And, in lieu of the separate apportionment of a part of the University endowment, as authorized in Section 11 hereof, the said Board of Directors of the Agricultural and Mechanical College may apportion to the Prairie View State Normal and Industrial College such part of any funds realized from any authorized bond issue by the Board for the purpose of permanent improvements as the Board may determine to be equitable, and the fund so apportioned shall be available only for the purpose of constructing permanent improvements for the said Prairie View State Normal and Industrial College.

The adoption of these measures by your Honorable Body will in my judgment be a means of effectively discharging our obligation to the people of Texas.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Refusal to Adjourn.

At 11 o'clock a. m. Senator McNealus moved to adjourn until 10 o'clock Monday morning.

The motion was lost by the following vote:

Yeas—7.

Bailey.	McNealus.
Clark.	Parr.
Hall.	Williford.
Hertzberg.	

Nays—19.

Alderdice.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Witt.
Dudley.	Woods.
Faust.	

Absent.

Page.

Absent—Excused.

Bell.	Westbrook.
Carlock.	

Senator Dayton in the Chair.

Senate Bill No. 92.

The Chair laid before the Senate on second reading:

S. B. No. 92, A bill to be entitled "An Act to amend Articles 936, 937 and 939, of the Penal Code of Texas, prescribing the punishment for forgery, passing a forged instrument and having in possession with intent to pass or use a forged instrument, by changing the punishment in certain cases and reducing the minimum punishment, and declaring an emergency."

Senator Bailey offered the following amendment which was read and adopted:

(1) Amend the bill by striking out wherever they occur the words "purported value of" and inserting in lieu thereof the words "pecuniary obligation sought to be created or affected by."

Senator Dorough offered the following amendments which were read and adopted:

(2) Amend the bill wherever the word "fifty" occurs, by striking out and insert in lieu thereof the word "ten."

(3) Amend the bill by striking out the word "one" wherever it occurs and insert in lieu thereof the word "two" whenever it refers to a felony.

(4) Amend the bill by adding the letter "s" to the word "year" wherever the word "one" precedes the word "year."

(5) Amend the bill by striking out the words "five" wherever it occurs in Article 936 of the bill and insert in lieu thereof the following: "seven."

Senator Clark offered the following amendment:

Amend Senate Bill No. 92 by striking out all of line 7, of the printed bill.

Senator Bailey moved to table the amendment and this motion prevailed by the following vote:

Yeas—14.

Alderdice.	Hall.
Bailey.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Suiter.
Dayton.	Williford.
Dorough.	Witt.
Faust.	Woods.

Nays—11.

Buchanan of Bell.	Gibson.
Clark.	Hertzberg.
Cousins.	Parr.
Dean.	Smith.
Dudley.	Strickland.
Floyd.	

Absent.

McNealus.	Page.
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Absent—Excused.

Bell.	Westbrook.
Carlock.	

The bill was read second time and passed to engrossment by the following vote:

Yeas—15.

Alderdice.	Faust.
Bailey.	Hall.
Buchanan of Scurry.	Johnston.
Caldwell.	Parr.
Dayton.	Smith.
Dorough.	Suiter.

Williford. Woods.
Witt.

Nays—10.

Buchanan of Bell. Floyd.
Clark. Gibson.
Cousins. Hertzberg.
Dean. Hopkins.
Dudley. Strickland.

Absent.

McNealus. Page.

Absent—Excused.

Bell. Westbrook.
Carlock.

On motion of Senator Woods, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 92 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice. Gibson.
Bailey. Hall.
Buchanan of Bell. Hertzberg.
Buchanan of Scurry. Hopkins.
Caldwell. Johnston.
Clark. Parr.
Cousins. Smith.
Dayton. Strickland.
Dean. Suiter.
Dorough. Williford.
Dudley. Witt.
Faust. Woods.
Floyd.

Absent.

McNealus. Page.

Absent—Excused.

Bell. Westbrook.
Carlock.

The bill was laid before the Senate, read third time and, on motion of Senator Woods, was passed finally.

Simple Resolution No. 67.

Be it resolved, That the Sergeant-at-Arms of the Senate be instructed to deliver to the School of Government of the University of Texas, one copy of all the printed bills and resolutions.

CALDWELL.

The resolution was read and adopted.

Bills Signed.

The Chair, Lieutenant Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 59, A bill to be entitled "An Act to amend an Act passed by the Thirty-second Legislature, and approved on the 23rd day of March, 1911, by adding to said Act Section 17, providing that the funds hereafter derived from any county road tax, or from the sale of any county road bonds, and not such funds as have been provided by election in precincts or defined districts, shall be pro rated between the commissioners precincts of Hardin County, when said tax is so levied or said bonds are so issued, in the ratio that the amount so collected or obtained by the county, and the Commissioners' Court shall require the County Treasurer to keep a separate account for each commissioners' precinct of said county all of the road funds so arising, or obtained by the county, and declaring an emergency."

H. B. No. 198, A bill to be entitled "An Act to amend Sections 5 and 13 Chapter 2 of the local and special laws of the Regular Session of the Thirty-third Legislature, as amended by Chapter 2 of local and special laws passed at the Regular Session of the Thirty-fourth Legislature, the same being a special road law for Shelby county; requiring ten days work from each person subject to road duty or to require in lieu thereof the payment of five dollars (\$5.00) by each said person; and to require the commissioners' court at the regular sessions of their court in February of each year, or at any time they may see fit, to appoint road overseers; and providing that said five dollars (\$5.00) shall be paid on or before the first day of March for the year 1919 and on or before the 31st day of January for every year thereafter repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 215, A bill to be entitled "An Act to repeal Chapter 23 of the Local and Special Laws of the State of Texas passed at the Regular Session of the Thirty-fifth Legislature. The same being 'An Act to create a more efficient system of roads for Live Oak county, Texas.' "

H. B. No. 216, A bill to be entitled "An Act to amend Section 1 of Chapter 67, Special Laws passed at the Regular Session of the Thirty-fourth Legislature, approved March 22, 1915, creating and defining the boundaries of the Burnet Independent School District in Burnet County, Texas, and to add to said chapter Sections 2a and 2b, validating an order passed by the Commissioners' Court of Burnet county, Texas, changing the boundaries of the Burnet Independent School District so as to embrace the same territory described in this Act, and validating a bond election heretofore held in said district, and declaring an emergency."

H. B. No. 98, A bill to be entitled "An Act to fix the compensation of County and District Court jurors in both civil and criminal cases, jury commissioners of the District and County Court, and bailiffs of the grand jury."

H. B. No. 131, A bill to be entitled "An Act to amend Sections 3 and 7 of Chapter 32 of the Local and Special Laws of the Regular Session of the Thirty-fifth Legislature, so as to regulate the pay of road honds and teams, and road overseers of Gillispie county, Texas."

H. B. No. 28, A bill to be entitled "An Act ratifying, confirming and validating the incorporation of Manor Independent School District, in Travis county, Texas, and the official acts of its board of trustees; establishing the Clayton Vocational Institute in said school district; creating a trust fund commission and a trust fund treasury for said institute, and defining their powers and duties; making said act cumulative of the general laws, and declaring an emergency."

H. B. No. 332, A bill to be entitled "An Act creating and incorporating Humble Independent School District in Harris County, Texas, out of the territory now composing Common School District No. 50 of said county, providing that the title of the school property vested in said Common School District No. 50 shall vest in said Humble Independent School District, and that said independent school district assume the debts of said Common School District No. 50; providing for a board of trustees of said Humble Independent School District, providing the time and manner

of their election, defining their powers and duties, and declaring an emergency."

H. B. No. 337, A bill to be entitled "An Act creating the Jasper Independent School district, known as Common School District No. 6, in Jasper county, Texas, and defining its boundaries, etc., and declaring an emergency."

H. B. No. 44, A bill to be entitled "An Act to amend Article 5597 of Chapter 1, Title 84 of the Revised Civil Statutes of Texas of 1911, so as to make privileged, without proof of actual malice, fair, true and impartial accounts of all executive and legislative proceedings, including all reports and proceedings in or before legislative committees, boards of managers of public educational and eleemosynary institutions, city councils and other governing bodies of cities or towns, commissioners courts and boards of trustees of public schools."

H. B. No. 138, A bill to be entitled "An Act to increase the civil jurisdiction of the County Court of Mitchell county, and declaring an emergency."

H. B. No. 40, A bill to be entitled "An Act to amend Section 1, S. B. No. 19, Chapter 2, pages 217 and 218 of the published laws enacted by the Thirty-fifth Legislature at its Fourth Called Session, creating the Bellville Independent School District, revising the metes and bounds of said district, and declaring an emergency."

House Bill No. 313.

The Chair laid before the Senate on second reading:

H. B. No. 313, "An Act to validate the charter and incorporation of the city of Stamford, adopted by the qualified voters of said city since the enactment of Chapter 147, page 307, of the Acts of the Regular Session of the Thirty-third Legislature."

The Committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 313 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Gibson.
Bailey.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

McNealus. Page.

Absent—Excused.

Bell.	Westbrook.
Carlock.	

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas—23.

Alderdice.	Gibson.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Johnston.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Present—Not Voting.

Bailey.	Hopkins.
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Absent.

McNealus. Page.

Absent—Excused.

Bell.	Westbrook.
Carlock.	

Senate Bill No. 195.

The Chair laid before the Senate on second reading:

S. B. No. 195, A bill to be entitled "An Act to create a common county line school district to be known as the Lone Cedar District, to be under the jurisdiction, management and control of the county school board of

Ellis county, Texas, to be composed of the territory described in this Act and defining the rights, powers and privileges of such district, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Alderdice, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 195 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Clark.	Johnston.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Williford.
Faust.	Witt.

Absent.

McNealus.	Woods.
Page.	

Absent—Excused.

Bell.	Westbrook.
Carlock.	

The bill was laid before the Senate, read third time and, on motion of Senator Alderdice, was passed by the following vote:

Yeas—22.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Clark.	Johnston.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Williford.
Faust.	Witt.

Absent.

Caldwell.	Page.
Hall.	Woods.
McNealus.	

Absent—Excused.

Bell, Westbrook.
Carlock.

Senate Bill No. 88.

The Chair laid before the Senate on second reading:

S. B. No. 88, A bill to be entitled "An Act to amend Article 6654, Title 115, Chapter 15, of the Revised Civil Statutes of the State of Texas, by adding to the twelve numbered subdivisions thereof Subdivision 13, so as to define the term railroad station with obligations incident thereto, and to provide that certain stations limits now existing or hereafter established shall not be changed except on order of the Railroad Commission, and to empower the Railroad Commission of Texas to fix, enlarge or diminish the limits of railroad stations within this State, and to require that station service, terminal service or switching service be given within said limits, and to prescribe the charges to be demanded and collected for such service, and to make or change rates or charges with respect to stations; restricting the operation of this Act to the movements of freights wholly within the State of Texas, and declaring an emergency."

Senator Suiter offered the following amendment, which was read and adopted:

(1) Amend S. B. No. 88, page 2, line 11, by inserting after the word "commission" and before the semicolon the words, "but the Railroad Commission shall not extend the limits of any station as herein defined until notice and hearing is given to the railroad company affected."

Senate Bill No. 88 pending.

Adjournment.

At 12:35 o'clock p. m. Senator Clark moved that the Senate stand adjourned until 10 o'clock Monday morning.

As a substitute, Senator Dorough moved to recess until 3 o'clock p. m. today.

Action recurred on the longest time first, and the motion to adjourn was adopted by the following vote:

Yeas—13.

Alderdice.	Dudley.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Caldwell.	Johnston.
Clark.	Parr.
Dayton.	Smith.
Dean.	

Nays—10.

Buchanan of Scurry.	Hopkins.
Cousins.	Strickland.
Dorough.	Suiter.
Faust.	Williford.
Floyd.	Witt.

Absent.

Hall.	Page.
McNealus.	Woods.

Absent—Excused.

Bell.	Westbrook.
Carlock.	

APPENDIX.

Petitions and Memorials.

Senator Gibson offered a petition from citizens of Leonard, Texas, who are opposed to the boxing exhibition bill by Senator McNealus; also opposing bill to regulate Sunday amusements.

Senator McNealus offered a telegram from Mr. T. W. Vardell of Dallas, opposing Senate Bill No. 44, whole family insurance bill.

Engrossing Committee Reports.

Committee Room,

Austin, Texas, Feb. 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 142 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, Feb. 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 110 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 135 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 121 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 224 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 119 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 82 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 155 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 159 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Feb. 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 152, A bill to be entitled "An Act providing that the nominations by political parties of candidates for offices of cities, of counties or of subdivisions of counties and of districts where their territorial extent is limited to a particular county or part of same, shall be made either by a party convention or by a party primary election as now provided by law, and that the nominations by political parties of candidates for all other offices shall be made by a primary convention held under the control and direction of the proper executive committee of the particular political party; and providing regulations for the holding of such primary conventions and of the preliminary conventions to select delegates thereto; repealing all laws and parts of laws in conflict herewith, etc.,"

Have had same under consideration, and am directed to report same back to the Senate with the recommendation that it do pass.

WILLIFORD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 133, A bill to be entitled "An Act to establish and fix the salaries of the State Purchasing Agent and the Chief Clerk in the office of the State Purchasing Agent, and declaring an emergency,"

Have had same under consideration, and I am directed to report

same back to the Senate with recommendation that it do pass.

WILLIFORD, Chairman.

Committee Room,

Austin, Texas, Feb. 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 215, A bill to be entitled "An Act to establish what is known as a uniform warehouse receipt. Providing for what shall be contained in said receipt. Providing what shall constitute a negotiable receipt. Defining the obligations and rights of a warehouseman upon the receipt issued by them. Defining the character of receipt that shall be issued in all instances where goods are received for storage, and providing for the taking up and cancelling of receipt issued on the whole or part of goods stored with warehousemen. Providing for the alteration of receipts issued. Providing that a warehouseman shall be liable in certain instances for the non-existence of goods where receipts are issued, and providing that the warehouseman shall be liable for goods left in his possession which have not been properly cared for. Providing for the rights of debtors and creditors on goods stored with a warehouseman under the terms of this Act. Providing for liens by warehousemen against goods stored with him, or in his possession, for storage and other charges. Providing for the method of enforcing said liens. Defining how a negotiable receipt may be negotiated, and defining the rights of holders of negotiable receipts, and defining the rights of a purchase of goods held in storage under a negotiable receipt. Providing criminal offenses for violation of the terms and provisions of this Act on the part of warehousemen, officers, agents, servants and employes. Providing for the method by which any person, firm, corporation, partnership or association of persons may become public warehousemen under the terms and provisions of the law by filing a bond, and providing that the Commissioner of Markets and Warehouses shall exercise supervision over all public warehousemen. Providing that the Commissioner of Markets and Warehouses may exercise supervision over all private

warehouses operating under the provisions of this Act, and providing for the repeal of all laws and parts of laws in conflict with this Act, except the Act of the First Called Session of the Thirty-fifth Legislature, approved May 26, 1917, and known as the Permanent Warehouse Act, and declaring an emergency."

Have had same under consideration, and am directed to report same back to the Senate with the recommendation that it do pass, with the following committee amendments hereto attached:

(1) Amend Section 2 of the bill by adding the following:

(j) When a negotiable receipt is issued under the terms of this Act for cotton or other agricultural products stored in any warehouse operating under the terms of this Act, it shall, in addition to the other conditions mentioned herein, state the weight, grade and condition of the same and shall state plainly whether such agricultural products are insured or not.

(2) Amend Section 2 of part No. 1, paragraph "d," so that same shall read as follows:

(d) A statement whether the goods received will be delivered to a specified person or to a specified person or his order.

(3) Amend Section 5, part No. 1, of the bill, so that same shall hereafter read as follows:

Section 5. A receipt in which it is stated that the goods received will be delivered to the order of any person named in such receipt, is a negotiable receipt.

(4) Amend Section 14, of Part No. 1, of the bill, at the end of first paragraph by striking out the words "and counsel fees."

(5) Amend Section 33, of Part No. 2, next to the last paragraph of the bill, so that same shall hereafter read as follows:

From the proceeds of such sale, the warehouseman shall satisfy his lien, including the reasonable charges of notice, advertisement and sale.

The balance, if any, of such proceeds shall be deposited with the County Clerk of the county in which the warehouse is located and shall be delivered, on demand, to the person to whom the warehouseman would have been bound to deliver,

or justified in delivering the goods, for which the receipt was issued.

WILLIFORD, Chairman.

Enrolling Committee Reports.

Committee Room.

Austin, Texas, Feb. 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 25, a copy of which is hereto attached, and find it correctly enrolled, and have this day at 10:45 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Dorough. S. B. No. 25.

An Act forfeiting the interest of any beneficiary under a life insurance policy or contract when the beneficiary is the principal or accomplice in bringing about the cause of death of the insured and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the interest of a beneficiary in a life insurance policy or contract heretofore or hereafter issued shall be forfeited when the beneficiary is the principal or accomplice in willfully bringing about the death of the insured. However providing when such is the case, the nearest relative of insured shall receive said insurance.

Section 2. The importance of this legislation and the fact that this is a regular session of the Legislature at which the calendar will be in a crowded condition, creates an emergency and an imperative public necessity which requires that the constitutional rule providing that bills be read on three several days in each house be suspended and the same is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room.

Austin, Texas, Feb. 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your committee on enrolled Bills have carefully examined and compared Senate Bill No. 24, copy of which is hereto attached, and find

it correctly enrolled, and have this day at 10:35 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Dorough S. B. No. 24.

An Act providing that the interest of a mortgagee or trustee under any fire insurance policy shall not be invalidated by any act or neglect of the mortgagor or owner of the property insured by said policy or the happenings of any condition beyond his control, and declaring void any stipulation in any fire insurance contract in conflict herewith and declaring an emergency.

Be it enacted by the Legislature of the State of Texas.

Section 1. The interest of a mortgagee or trustee under any fire insurance contract hereafter issued covering any property situated in this State shall not be invalidated by any act or neglect of the mortgagor or owner of said described property or the happening of any condition beyond his control, and any stipulation in any contract in conflict herewith shall be null and void.

Section 2. The importance of this legislation and the fact that this is a regular session of the Legislature at which the calendar will be in a crowded condition, creates an emergency and an imperative public necessity requires that the constitutional rule providing that bills shall be read on three several days in each house be suspended and the same is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room.

Austin, Texas, Feb. 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 150, a copy of which is hereto attached, and find it correctly enrolled, and have this day at 10:35 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Bell. S. B. No. 150.

An Act that counties that borrowed money from the State of Texas

under the provisions of Section 13, Chapter 4, Acts of the Thirty-fifth Legislature, passed at the Fourth Called Session, may by payment of accrued interest be given two years' additional time in which to return the principal, and declaring an emergency.

Be it enacted by the Legislature of The State of Texas:

Section 1. The counties of this State that have borrowed money from the State of Texas under the provisions of Section 13, Chapter 4, Acts of the Thirty-fifth Legislature, passed at the Fourth Called Session, may secure an extension of their obligation for a period of two years by the Commissioners' Court making an application to the Comptroller of the State of Texas at any time prior to the maturity of the entire obligation made by the county to secure the loan from the State of Texas, provided that all accrued interest must accompany the application and the application shall be signed by the County Judge and not less than three County Commissioners. When the extension is granted, as herein provided, the obligation of the county shall continue to bear interest at the same rate as provided in Section 13, Chapter 4, Acts of the Fourth Called Session of the Thirty-fifth Legislature, and interest shall be paid annually.

Section 2. The facts that the obligations due the State of Texas from some of the counties that borrowed money from the State under the provisions of Section 13, Chapter 4, Acts of the Thirty-fifth Legislature, passed at the Fourth Called Session, are now or soon will be due, creates an emergency and an imperative public necessity which requires the suspension of the constitutional rule that all bills be read on three several days and the rule is hereby suspended and this Act shall take effect and be enforced from and after its passage, and it is so enacted.

TWENTY-FIFTH DAY.

Senate Chamber,
Austin, Texas, Feb. 17, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Smith.
Dorough.	Strickland.
Dudley.	Suiter.
Faust.	Witt.
Floyd.	Woods.

Absent.

Bell.	Westbrook.
Clark.	Williford.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Alderdice.

Petitions and Memorials.

See Appendix.

Standing Committee Reports.

See Appendix.

Senate Concurrent Resolution No. 21.

(By unanimous consent.)

Resolved by the Senate, the House of Representatives concurring, That Senate Concurrent Resolution No. 17 be rescinded and repealed.

McNEALUS.

The resolution was read and adopted.

Bills and Resolutions.

By Senator Alderdice:

S. B. No. 294, A bill to be entitled "An Act to provide for a general educational survey of the State of Texas, to create a committee, prescribe their duties, make appropriations to carry out the provisions of this Act, and declare an emergency."

Read first time and referred to Committee on Educational Affairs.